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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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32615	7590	11/30/2004	EXAMINER	
OSHA & MAY L.L.P./SUN 1221 MCKINNEY, SUITE 2800 HOUSTON, TX 77010			BATURAY, ALICIA	
			ART UNIT	PAPER NUMBER
			2155	
DATE MAILED: 11/30/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/929,477

Applicant(s)

TRAN ET AL.

Examiner

Alicia Baturay

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-29 are pending.

#### ***Oath/Declaration***

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02. The oath or declaration is defective because: All of the inventors' signatures do not appear on the document.

#### ***Specification***

3. The disclosure is objected to because of the following informalities: Figure 1 is discussed on page 3, line 16 as including "...a wireless PC 102, a refrigerator 103..." However, on the drawing of Figure 1, element 103 is labeled as a "PC." Appropriate correction throughout the specification is required.
4. The disclosure is objected to because of the following informalities: there is no label for element 201 in Figure 2. It is believed Applicant meant to place a "201" element number following the recitation of a "...wireless application protocol (WAP) based phone..." on page 11, line 13. Additionally, on page 12, line 21, it is thought that Applicant meant to write "201" instead of "200" following the recitation of "...Wireless Clients..." to correspond to element 201 on Figure 3. Finally, on page 15, line 17, Applicant states "...may also use other headers apart form the user-agent headers..." It is thought that Applicant meant to write

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“...may also use other headers apart *from* the user-agent headers...” Appropriate correction is required.

5. The use of the trademark iPlanet has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

#### ***Claim Objections***

6. Claim 11 is objected to because of the following informalities: Applicant states “..pertaining to a particular wireless clients...” It is thought Applicant meant to write “... pertaining to a particular wireless client...” Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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8. Claims 1-3, 5, 9-15, and 23-25 are rejected under 35 U.S.C. 102(e) as being unpatentable over Dusse (U.S. 2002/0068554).
9. As to claim 1, Dusse discloses a wireless network environment (Dusse, page 1, paragraph 6), comprising: a plurality of classes of wireless clients (Dusse, page 1, paragraph 4), each class of wireless clients having unique identifiers and attributes independent of other classes of wireless clients within the wireless network environment (Dusse, page 3, paragraph 36); and a wireless client independent wireless server coupled to communicate with the classes of wireless clients to provide a series of services available on the server (Dusse, Fig. 1, element 108), the classes of wireless clients issuing service requests to the wireless server via established communication links and protocols within the network (Dusse, page 3, paragraph 33); and where one of the services comprise automatic client type detection using extensible parameters (Dusse, page 3, paragraph 36). The communications system described includes predetermined device and service configurations which inherently suggests that the system has defined classes of devices.
10. As to claim 2, Dusse discloses the invention substantially as described in claim 1, including the wireless network environment where the automatic client detection comprises client aware detection logic for automatically detecting client specific attributes from service requests issued to the wireless server from a wireless client within any of the classes of wireless clients (Dusse, page 1, paragraph 11).

11. As to claim 3, Dusse discloses the invention substantially as described in claim 2, including the wireless network environment where the wireless server further includes a wireless client data storage logic coupled to the wireless detection logic to store client data objects which uniquely define each client within the class of clients (Dusse, page 3, paragraph 32).
12. As to claim 5, Dusse discloses the invention substantially as described in claim 2, including the wireless network environment where the client detection logic comprises client data distinguishing logic for distinguishing between predefined client information pertaining to a client within any of the classes of wireless clients stored in the client data storage logic and client data information which is dynamically extracted by the client detection logic (Dusse, page 5, paragraph 49).
13. As to claim 9, Dusse discloses a wireless server for handling a plurality of wireless service requests from a plurality of wireless clients each having unique identifying attributes (Dusse, page 3, paragraph 32), the wireless server comprising: a wireless extensible client aware detector (Dusse, Fig. 4, element 444 "Registration Module"); a wireless client data storage coupled to the extensible wireless client aware detector (Dusse, Fig. 4, element 442); and a wireless server session service coupled to the extensible wireless client aware detector (Dusse, Fig. 4, element 408; page 3, paragraph 32). Element 408 in Fig. 4 is analogous to element 108 in Fig. 1.

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14. As to claim 10, Dusse discloses the invention substantially as described in claim 9, including the wireless server where the wireless client detector is capable of extracting client specific data to uniquely identify wireless clients requesting services from the wireless server (Dusse, page 3, paragraph 32).
15. As to claim 11, claim 5 is a system performing the same functions as claim 11. Therefore, paragraph 12 of this Office Action discloses all of the limitations of claim 11.
16. As to claim 12, Dusse discloses the invention substantially as described in claim 11, including the wireless server where the wireless client data storage stores client predefined data objects for a known class of wireless clients which connect to the wireless server (Dusse, page 3, paragraph 36). The communications system described includes predetermined device and service configurations which inherently suggests that the system has defined classes of devices.
17. As to claim 13, Dusse discloses the invention substantially as described in claim 11, including the wireless server where the client aware detector comprises client request deciphering logic for parsing client service request headers to determine whether data pertaining to a specific client requesting service from the wireless server is already available in the wireless server or not (Dusse, page 4, paragraph 40).

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18. As to claim 14, claim 10 is a system performing the same functions as claim 14. Therefore, paragraph 14 of this Office Action discloses all of the limitations of claim 14.
19. As to claim 15, Dusse discloses the invention substantially as described in claim 14, including the wireless server where the clientType information defines a logical group of clients uniquely identified by an extensible list of properties common to the group (Dusse, page 3, paragraph 36). The communications system described includes predetermined device and service configurations which inherently suggests that the system has defined classes of devices.
20. As to claim 23, Dusse discloses a client aware method of detecting wireless clients within a wireless network attempting to connect to a wireless server (Dusse, page 1, paragraph 11), comprising the steps of: receiving client service requests from a plurality of clients connecting to the wireless server (Dusse, page 3, paragraph 33); and parsing header information in the wireless client service requests to automatically extract client specific information and comparing the client specific information to extensible parameters in order to detect the wireless client that is attempting to connect to the wireless server (Dusse, page 4, paragraph 42).
21. As to claim 24, Dusse discloses the invention substantially as described in claim 23, including the method where the information extracted from the wireless client service



requests may be information common to a group of clients within the plurality of wireless clients (Dusse, page 3, paragraph 36).

22. As to claim 25, Dusse discloses the invention substantially as described in claim 23, including the method further including a step of dynamically adding new parameters extracted from the wireless clients service requests to detect the clients by the wireless server (Dusse, page 4, paragraph 42).

***Claim Rejections - 35 USC § 103***

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

24. Claims 4, 6-8, 16, 18-22, and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dusse and further in view of Lincke et al. (U.S. 6,397,259).

25. As to claim 4, Dusse teaches a wireless network environment where the client detection logic detects clients specific attributes of a wireless client seeking services from the wireless server (Dusse, page 1, paragraph 11), but does not explicitly teach the use of a hypertext transport protocol header. However, Lincke does teach client detection by examining the hypertext transport protocol header from the client's request (Lincke, col. 5, lines 26-33). It would have

been obvious to one skilled in the art at the time the invention was made to combine the teachings of Dusse and Lincke to allow users of wireless devices with differing capabilities access to information and services tailored to those capabilities (Lincke, col. 2, line 66-col. 3, line 5).

26. As to claim 6, the combination of Dusse and Lincke (Dusse-Lincke) discloses the invention substantially as described in claim 4, including the wireless network environment where the client detection logic is extensible to dynamically gather client specific information as the client issues service requests to the wireless server (Dusse, page 4, paragraph 42).

27. As to claim 7, Dusse-Lincke discloses the invention substantially as described in claim 6, including the wireless network environment where the client detection logic extracts client specific attributes (Dusse, page 1, paragraph 11) from the client's user-agent Hyper Text Transport Protocol header from the client's request to the wireless server (Lincke, col. 5, lines 26-33).

28. As to claim 8, Dusse-Lincke discloses the invention substantially as described in claim 7, including the wireless network environment where the client detection logic extracts client specific attributes from headers other than the user-agent header in the client's Hyper Text Transport Protocol request (Dusse, page 1, paragraph 11).

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29. As to claim 16, Dusse-Lincke discloses a wireless server system (Dusse, page 1, paragraph 6), comprising: a plurality of extensible definition files, each definition file for providing detection for a class of wireless clients that communicate with the wireless server system; and an automatic detection system, coupled to access the plurality of extensible definition files, for applying a particular definition file to a particular wireless client for automatically detecting the class of the particular wireless client (Lincke, col. 65, lines 28-40), where the particular definition file comprises information found within a service request of the wireless client that allows the detecting thereof (Dusse, page 2, paragraph 25).
30. As to claim 18, Dusse-Lincke discloses the invention substantially as described in claim 16, including the wireless server system where the information found within the service request includes information found within an agent header of the service request (Dusse, page 1, paragraph 11).
31. As to claim 19, Dusse-Lincke discloses the invention substantially as described in claim 16, including the wireless server system where the information found within the service request comprises the time of day of the service request (Lincke, col. 32, Table tagTimePicker).
32. As to claim 20, Dusse-Lincke discloses the invention substantially as described in claim 16, including the wireless server system where the information found within the service request comprises communication bandwidth of the service request (Lincke, col. 2, lines 56-65).

33. As to claim 21, Dusse-Lincke discloses the invention substantially as described in claim 18, including the wireless server system where the information found within the service request further comprises the time and date of the service request (Lincke, col. 32, Table tagTime Picker and Table tagDatePicker).
34. As to claim 22, claim 20 is a system performing the same functions as claim 22. Therefore, paragraph 32 of this Office Action discloses all of the limitations of claim 22.
35. As to claim 26, claim 7 is a system performing the same functions as claim 26. Therefore, paragraph 27 of this Office Action discloses all of the limitations of claim 26.
36. As to claim 27, claim 8 is a system performing the same functions as claim 27. Therefore, paragraph 28 of this Office Action discloses all of the limitations of claim 27.
37. As to claim 28, claim 7 is a system performing the same functions as claim 28. Therefore, paragraph 27 of this Office Action discloses all of the limitations of claim 28.
38. As to claim 29, Dusse-Lincke discloses the invention substantially as described in claim 28, including the method where the extensible parameters further comprise definitions of time of day requests (Lincke, col. 32, Table tagTime Picker and Table tagDatePicker) and client communication bandwidth (Lincke, col. 2, lines 56-65) of a client. Because only one request is sent to the server, the service request and the parameters are sent at one time.

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39. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dusse-Lincke as applied to claim 16 above, and further in view of Schoening et al. (U.S. 6,226,788).

As to claim 17, Dusse-Lincke teaches a wireless server with an automatic detection system (Lincke, col. 65, lines 28-40), but fails to teach a system that can recognize new client classes of devices. However, Schoening does teach an automatic detection system rendered capable of recognizing a new client class by the addition of a corresponding new definition file to the plurality of extensible definition files (Schoening, col. 13, lines 10-25). It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Dusse and Lincke with Schoening to allow services to be deployed to a full range of mobile device types, both existing and those that may exist in the future (Schoening, col. 1, lines 11-14).

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AB

  
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SUPERVISORY PATENT EXAMINER